

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Work Charged Establishment – Water Resources Department - O.A.No.1864/2013 filed by Sri S.Venkataramana for Regularization of his service as Office Sub-ordinate in terms of G.O.Ms.No.212 Finance Dt:22.04.1994 – Orders issued.

WATER RESOURCES (SER.IV) DEPARTMENT

G.O.MS.No. 60

Dated: 28-05-2016

Read the following:

- 1) Orders of Hon'ble APAT, Hyderabad dated 14.11.2013 in O.A.No.1864/2013 filed by Sri S.Venkataramana.
- 2) From the ENC(IW) WRD Lr.No.ENC/IW/P&M/EE.III/W2/2605/2012, dated:4.3.2014.
- 3) From the SE, SRBC Circle No.1, Nandyal Lr. No. SE/SRBC.I/NDL/AB/EC.3/N-1/229 M, Dated:9.3.2016.
- 4) Hon'ble High Court orders dt:18.2.2016 in WP No.3356/2016.

ORDER:

Sri S.Venakta Ramana is working as Daily Wage NMR Worker from 01.09.1998 and continuing as NMR till to date. The earlier regularization proposal of Sri S.Venkaataramana, NMR had rejected as he has not rendered the required service of 5 years as on cut-off date 25.11.1993 after attaining the age of 18 years vide G.O. Ms.No.144,I&CAD Dt.17.10.2011. Aggrieved by this, Sri S.Venkata Ramana has filed O.A.No.1864/2013 for regularization of his services. The A.P Administrative Tribunal in its orders dt:14.11.2013 in OA No.1864/2013 have directed the respondents to regularize the services of the applicant from the date of completion of five years, by taking his initial appointment in to consideration for counting of five years of service in terms of G.O.Ms. No.212, Finance, Dt.22.04.1994.

2. Government have filed W.P.No.3356/2016 before the High Court of A.P. Hyderabad against the APAT orders dt:14.11.2013 in OA No.1864/2013. The High Court in its orders dt: 18.02.2016 in WP No.3356/2016 have pronounced that:

On the facts and in the circumstances of the case, we are of the opinion that the Writ Petition suffers from long and unexplained delay and therefore, without expressing any opinion on the merits of the case as to the entitlement or otherwise of the petitioner for consideration of his services rendered as minor for the purpose of regularization, we choose to dismiss the Writ Petition only on the ground of laches.

The question raised in this Writ Petition, Viz., whether the temporary services rendered by a minor are not qualified for being counted for regularization, is kept open to be decided in appropriate case.

The Writ Petition is dismissed subject to the time granted to the petitioners three months time for implementation of the impugned order of the Tribunal.

As a sequel to dismissal of the Writ Petition, WPMP No.s.4290 and 4291 of 2016 filed by the petitioners for interim relief are disposed of as infructuous.

(PTO)

3. The Superintending Engineer, SRBC Circle No.1, Nandyal has requested the Government to regularize the services of Sri S.Venakta Ramana, NMR Worker from the date of completion of five years by taking into his initial appointment into consideration in terms of G.O.Ms.No.212 Finance dt:22.4.1994 in the existing vacancy of Office subordinate post against the Roster Point No.153 (OC) keeping in view the orders of High Court dt: 18.02.2016 in W.P.No.3356/2016 to comply the orders of APAT dt:14.11.2013 in OA No. 1864/2013.

4. In view of the above circumstances and after careful examination of the matter, Government hereby permit the Engineer-in-Chief (IW), WRD to regularize the services of Sri S.Venakta Ramana, NMR Worker from the date of completion of five years by taking into his initial appointment into consideration in the existing vacancy of Office Subordinate with Roster point No. 153 (OC) which had arisen due to retirement of Smt T.Venkatamma, Office subordinate on attaining the age of superannuation in terms of G.O.Ms.No.212 Finance dt:22.4.1994 from the prospective date as per the Govt. Memo.No. 573/225/A3/PC.III/97, Dt.01.09.1997 i.e., from date of issue of orders by competent appointing authority, to comply with the orders of APAT dt:14.11.2013 in OA No. 1864/2013.

5. The Engineer-in-Chief (IW), Water Resources Department, Hyderabad shall take necessary action accordingly.

6. This order issues with the concurrence of the Finance (HR.III) Department vide their U.O.No.77704/80/A2/HR.III/2016, Dated:12-05-2016.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Engineer-in-Chief (IW) Water Resources Department,
Erramanzil, Hyderabad
Copy to:
The Chief Engineer (P) Water Resources Department, Kurnool.
The Superintending Engineer, SRBC Circle No.1, Nandyal,
Kurnool District.
The Finance (HR.III) Department
SF/SC

//Forwarded : By Order//

SECTION OFFICER